

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-MJ-8332-BER

IN RE SEALED SEARCH WARRANT

FILED UNDER SEAL

_____/

MOTION TO SEAL SECOND NOTICE OF FILING

The United States of America moves the Court to place under seal, until further order of the Court, the Second Notice of Filing of Redacted Documents, and the attachment to that notice, filed on August 15, 2022. In support of the Motion, the government states:

1. Courts have inherent power to control access to papers filed with the courts. *Nixon v. Warner Communications, Inc.*, 435 U.S. 589, 598 (1978). Courts have traditionally been “highly deferential to the government’s determination that a given investigation requires secrecy and that warrant materials be kept under seal.” *Times Mirror Co. v. United States*, 873 F.2d 1210 (9th Cir. 1989). Therefore, courts have routinely granted government requests to seal warrant materials where there is a need for secrecy. *See Washington Post v. Robinson*, 935 F.2d 282, 289 (D.C. Cir. 1991).

2. The Court previously granted the government’s motion to seal the search warrant signed on August 5, 2022, and materials associated with that warrant. The Court also later granted the government’s motion to seal a document consisting of the search warrant and redacted property receipt, pending resolution of the government’s motion to unseal those materials (DE1; DE17). The document filed with the government’s Second Notice consists of redacted versions of additional materials that this Court originally sealed:

the cover sheets to the search warrant application (DE1:1, 4), the government's original motion to seal (DE2), and the Court's order granting that motion (DE3). Because the unredacted original versions of these documents are subject to the Court's earlier order, the government respectfully requests that the Court seal the Second Notice and attachment, pending further order of the Court.¹

CONCLUSION

WHEREFORE, for these reasons, the United States of America respectfully requests that the Court issue an Order sealing the Second Notice of Filing of Redacted Documents and its attachment.

Dated: August 15, 2022

Respectfully submitted,

JUAN ANTONIO GONZALEZ
UNITED STATES ATTORNEY

By: 

United States Attorney
Florida Bar No. 897388
99 NE 4th Street, 8th Floor
Miami, FL 33132
Tel: 305-961-9001
Email: juan.antonio.gonzalez@usdoj.gov

¹ In response to intervenors' motions to unseal additional warrant materials, the government, at the appropriate time, will take the position that it does not object to the unsealing of this limited set of additional documents.